CITY OF TIGARD, OREGON

RESOLUTION NO. 04-34

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 28 (SW O'MARA, MCDONALD STREETS)

WHEREAS, on August 26, 2003, the City Council approved Resolution 03-32 to form Sanitary Sewer District No. 28 to construct sewers in SW O'Mara and McDonald Streets in accordance with TMC Chapter 13.09; and

WHEREAS, Resolution 03-32 included the City Engineer's Report that included an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has been completed, final costs have been determined and the City Engineer's Report has been revised to include the final costs as required by TMC13.09.105 (1); and

WHEREAS, the property owners within the district have been notified of an informational hearing in accordance with TMC 13.09.060 and an informational hearing was conducted in accordance with TMC 13.09.105; and

WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report as recommended by the City Engineer are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1 The Final City Engineer's Report titled "Sanitary Sewer Reimbursement District No. 28, attached hereto as Exhibit A, is hereby approved.

SECTION 2 Resolution 03-32 is hereby amended to add the revised City Engineer's Report.

SECTION 3 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

SECTION 4 This resolution is effective immediately upon passage.

PASSED: This 25th day of Mar

Mayor City of Tigard

ATTEST:

<u>Katherine Wheatle</u> City Recorder - City of Tigard

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Exhibit A

Final City Engineer's Report Sanitary Sewer Reimbursement District No. 28 (SW O'Mara and McDonald Streets)

Background

This project was constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program, the City of Tigard installs public sewers to each lot within a project area. At the time the property owner connects to the sewer, the owner will pay a connection fee of \$2,435 (\$2,535 after June 30, 2004) and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

An existing sanitary sewer line in SW O'Mara Street was extended west from between SW Hill Street and SW Frewing Street to serve thirty six lots as shown on Exhibit Map B.

Cost Cost

The final cost for the sanitary sewer construction is \$414,799.91. Engineering and inspection fees amount to \$55,997.99 (13.5%) as defined in TMC 13.09.040(1). The final total project cost is \$470,797.90. This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner, will be required to pay an additional \$2,435 (\$2,535 after June 30, 2004) connection and inspection fee when connection to the public line is made. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties in this area are zoned R-4.5 but vary in lot size from about 14,000 square feet to over 38,000 as can be seen on the attached list of owners. Therefore, it is recommended that the total cost of the project be divided among the thirty six properties proportional to the square footage of each property. Resolution 01-46 limits this fee to \$6,000 to the extent that is does not exceed

\$15,000 per owner for connections completed within three years of final approval of the City Engineer's Report.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's final fair share of the public sewer line is \$0.6648 per square foot of the lot served. Each owner's fair share would be limited to \$6,000 to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed as provided by Resolution 03-55.

Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted May 11, 2004

Agustin P. Duenas, P.E.

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City Engineer

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Reimbursement District No. 28

Cost to Property Owners Based on Final Project Cost

		· · · · · · · · · · · · · · · · · · ·			FINAL COST		
	OWNER	SITE ADDRESS	OWNER ADDRESS	AREA (S.F.)	TO PROPERTY	PAID BY OWNER	PAID BY CITY
					OWNER		
1	ANDERSON CLARENCE N TR	9735 SW O'MARA ST		24166.33	\$16,066	\$7,066	\$9,000
2	BATES VIRGINIA A	9680 SW O'MARA ST		35470.82	\$23,582	\$14,582	\$9,000
3	BAYARD LAUREN &	9620 SW FREWING ST		20637.64	\$13,720	\$6,000	\$7,720
4	BHATTACHARYYA KEYA	9608 SW HILLVIEW CT		16188.05	\$10,762	\$6,000	\$4,762
5	BOYDSTUN DENNIS GREGORY	9585 SW O'MARA ST		30515.00	\$20,287	\$11,287	\$9,000
6	BROWN ROGER A & JENNIFER A	9605 SW HILLVIEW CT		14935.36	\$9,929	\$6,000	\$3,929
7	CLAYTON MARLIN L	9777 SW O'MARA ST		16340.51	\$10,863	\$6,000	\$4,863
8	COOK DOREEN M	9815 SW O'MARA ST		18182.66	\$12,088	\$6,000	\$6,088
9	DOWD LARRY & LAURA	9600 SW FREWING ST		21361.74	\$14,202	\$6,000	\$8,202
10	DURFEE STANLEY D & CYNTHIA A	9580 SW O'MARA ST		18304.62	\$12,169	\$6,000	\$6,169
11	FUCHS ARNOLD C & SHIRLEY K	9530 SW O'MARA ST		38692.36	\$25,723	\$16,723	\$9,000
12	GARNANT DAVID G & JOYCE	9625 SW O'MARA ST		16551.32	\$11,004	\$6,000	\$5,004
13	GITHENS WANDAMA TRUSTEE	9675 SW HILLVIEW CT		15689.58	\$10,431	\$6,000	\$4,431
14	HAMPTON CLAUDE H	9960 SW MCDONALD ST		15038.60	\$9,998	\$6,000	\$3,998
15	JOHNSON EDITH L TRUSTEE	9800 SW O'MARA ST		14850.93	\$9,873	\$6,000	\$3,873
16	KOLB DAVID & JANE F TRS	9645 SW O'MARA ST		17259.97	\$11,475	\$6,000	\$5,475
17	MCCORD GLEN A & ELIZABETH A	9965 SW MCDONALD ST		20566.85	\$13,673	\$6,000	\$7,673
18	MCDILL STEVEN J & KIMBERLY C	9630 SW O'MARA ST		25842.80	\$17,181	\$8,181	\$9,000
19	MCDONALD TERRY L/DIANE L	9865 SW OMARA ST		15547.83	\$10,336	\$6,000	\$4,336
20	MCPHAIL JOHN R & LEANN	9935 SW MCDONALD ST		14429.69	\$9,593	\$6,000	\$3,593
21	MILLER PHILLIP R	9940 SW MCDONALD ST		15038.33	\$9,998	\$6,000	\$3,998
22	MONNIE HELEN C & MICHAEL D &	9715 SW OMARA ST		15266.46	\$10,149	\$6,000	\$4,149
23	NEVILLE THOMAS A &	9635 SW HILLVIEW CT		15244.34	\$10,135	\$6,000	\$4,135
24	NIRANJAN RAMAKRISHNAN &	9760 SW OMARA ST		18010.91	\$11,974	\$6,000	\$5,974
25	OTTOMAN NORMAN R TRUSTEE	9905 SW MCDONALD ST		15548.13	\$10,337	\$6,000	\$4,337
26	PARKER WALTER J & LOLA B	9615 SW O'MARA ST	655 Stone Creek Dr	13803.70	\$9,177	\$6,000	\$3,177
			La Center WA 98629				
27	PARKER WALTER J & LOLA B	9615 SW O'MARA ST	655 Stone Creek Dr	28910.26	\$19,220	\$10,220	\$9,000
			La Center WA 98629				
28	RAY STEVEN A & DEBORAH M	9845 SW O'MARA ST		17039.10	\$11,328	\$6,000	\$5,328
29	SHEHORN STEPHEN LEE	9765 SW O'MARA ST		15382.78	\$10,227	\$6,000	\$4,227
30	SHIRLEY JULIA A	9610 SW HILLVIEW CT		16247.55	\$10,802	\$6,000	\$4,802
31	SPIAK ANDREW JOEL	9825 SW O'MARA ST		22452.38	\$14,927	\$6,000	\$8,927
32	STRAND DAVID E	9675 SW OMARA ST		16235.91	\$10,794	\$6,000	\$4,794
33	WHITEMAN TEX R LEWAHNA	9530 SW EDGEWOOD		35818.39	\$23,813	\$14,813	\$9,000
34	WILSON LELAND J & TAMMIE L	9670 SW HILLVIEW CT		15550.98	\$10,339	\$6,000	\$4,339
35	WILSON WILLIAM D JR AND	9840 SW O'MARA ST		20431.40	\$13,583	\$6,000	\$7,583
36	WORLEY MARTHA W	9695 SW O'MARA ST		16608.92	\$11,042	\$6,000	\$5,042

Reimbursement District No. 28

Final Cost to Property Owners

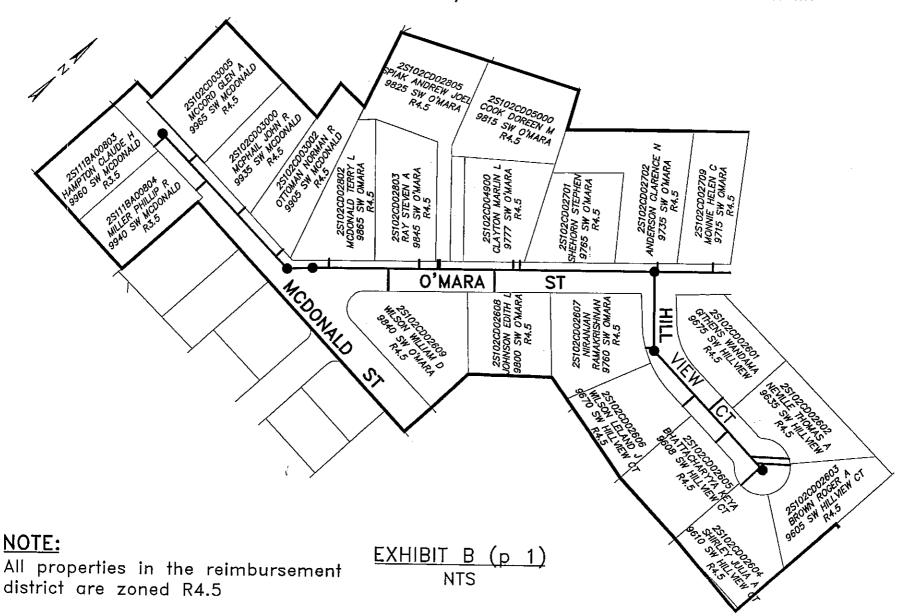
	OWNER	TAX LOT	SITE ADDRESS	AREA (AC)	AREA (S.F.)	FINAL COST TO
						PROPERTY
1	BAYARD LAUREN &	2S102CD00300	9620 SW FREWING ST	0.474	20637.64	OWNER \$13,720
2	DOWD LARRY & LAURA	2S102CD00400	9600 SW FREWING ST	0.490	21361.74	\$14,202
3	BOYDSTUN DENNIS GREGORY	2\$102CD00500	9585 SW O'MARA ST	0.701	30515.00	\$20,287
4	FUCHS ARNOLD C & SHIRLEY K	2S102CD00600	9530 SW O'MARA ST	0.888	38692.36	\$25,723
5	DURFEE STANLEY D & CYNTHIA A	2S102CD01101	9580 SW O'MARA ST	0.420	18304.62	\$12,169
6	BATES VIRGINIA A	2S102CD02000	9680 SW O'MARA ST	0.814	35470.82	\$23,582
7	MCDILL STEVEN J & KIMBERLY C	2S102CD02001	9630 SW O'MARA ST	0.593	25842.80	\$17,181
8	WHITEMAN TEX R LEWAHNA	2S102CD02100	9530 SW EDGEWOOD	0.822	35818.39	\$23,813
9	GITHENS WANDAMA TRUSTEE	2S102CD02601	9675 SW HILLVIEW CT	0.360	15689.58	\$10,431
10	NEVILLE THOMAS A &	2S102CD02602	9635 SW HILLVIEW CT	0.350	15244.34	\$10,135
11	BROWN ROGER A & JENNIFER A	2S102CD02603	9605 SW HILLVIEW CT	0.343	14935.36	\$9,929
12	SHIRLEY JULIA A	2S102CD02604	9610 SW HILLVIEW CT	0.373	16247.55	\$10,802
13	BHATTACHARYYA KEYA	2S102CD02605	9608 SW HILLVIEW CT	0.372	16188.05	\$10,762
14	WILSON LELAND J & TAMMIE L	2S102CD02606	9670 SW HILLVIEW CT	0.357	15550.98	\$10,339
15	NIRANJAN RAMAKRISHNAN &	2S102CD02607	9760 SW OMARA ST	0.413	18010.91	\$11,974
16	JOHNSON EDITH L TRUSTEE	2S102CD02608	9800 SW O'MARA ST	0.341	14850.93	\$9,873
17	WILSON WILLIAM D JR AND	2S102CD02609	9840 SW O'MARA ST	0.469	20431.40	\$13,583
18	PARKER WALTER J & LOLA B	2S102CD02700	9615 SW O'MARA ST	0.317	13803.70	\$9,177
19	SHEHORN STEPHEN LEE	2S102CD02701	9765 SW O'MARA ST	0.353	15382.78	\$10,227
20	ANDERSON CLARENCE N TR	2S102CD02702	9735 SW O'MARA ST	0.555	24166.33	\$16,066
21	PARKER WALTER J & LOLA B	2S102CD02703	9615 SW O'MARA ST	0.664	28910.26	\$19,220
22	GARNANT DAVID G & JOYCE	2S102CD02705	9625 SW O'MARA ST	0.380	16551.32	\$11,004
23	WORLEY MARTHA W	2S102CD02706	9695 SW O'MARA ST	0.381	16608.92	\$11,042
24	MONNIE HELEN C & MICHAEL D &	2S102CD02709	9715 SW OMARA ST	0.350	15266.46	\$10,149
25	KOLB DAVID & JANE F TRS	2S102CD02712	9645 SW O'MARA ST	0.396	17259.97	\$11,475
26	STRAND DAVID E	2S102CD02715	9675 SW OMARA ST	0.373	16235.91	\$10,794
27	MCDONALD TERRY L/DIANE L	2S102CD02802	9865 SW OMARA ST	0.357	15547.83	\$10,336
28	RAY STEVEN A & DEBORAH M	2S102CD02803	9845 SW O'MARA ST	0.391	17039.10	\$11,328
29	SPIAK ANDREW JOEL	2S102CD02805	9825 SW O'MARA ST	0.515	22452.38	\$14,927
30	MCPHAIL JOHN R & LEANN	2S102CD03000	9935 SW MCDONALD ST	0.331	14429.69	\$9,593
31	OTTOMAN NORMAN R TRUSTEE	2S102CD03002	9905 SW MCDONALD ST	0.357	15548.13	\$10,337
32	MCCORD GLEN A & ELIZABETH A	2S102CD03005	9965 SW MCDONALD ST	0.472	20566.85	\$13,673
33	CLAYTON MARLIN L	2S102CD04900	9777 SW O'MARA ST	0.375	16340.51	\$10,863
34	COOK DOREEN M	2S102CD05000	9815 SW O'MARA ST	0.417	18182.66	\$12,088
35	HAMPTON CLAUDE H	2S111BA00803	9960 SW MCDONALD ST	0.345	15038.60	\$9,998
36	MILLER PHILLIP R	2S111BA00804	9940 SW MCDONALD ST	0.345	15038.33	\$9,998
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			Totals	16.26	708,162.22	\$470,797.90

Reimbursment District #28

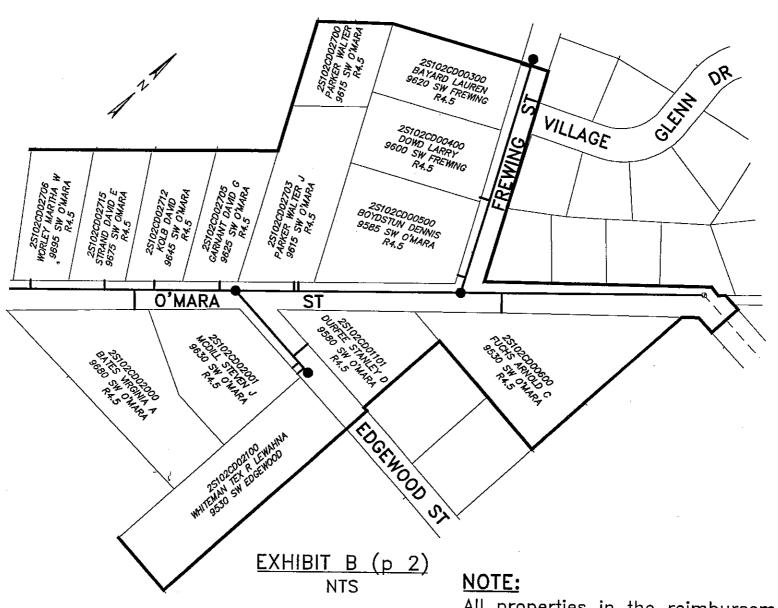
Cost to Property Owners Based on Final Project Cost
Summary

Final construction cost	\$414,799.91
•	
13.5% contingency (Admin & Eng)	\$55,997.99
total project costs	\$470,797. 90
total area to be served (S.F.)	708,162.22
total cost per S.F. to property owner	\$0.6648

O'MARA, MCDONALD
SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #28
A PORTION OF THE SW 1/4 OF SECTION 2 T2S R1W W.M.



O'MARA, MCDONALD SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #28



All properties in the reimbursement district are zoned R4.5